

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT <b>PLANNING AND BUILDING</b>		(2) MEETING DATE <b>JULY 25, 2006</b>		(3) CONTACT/PHONE <b>ART TRINIDADE (805) 781-5705</b>	
(4) SUBJECT <b>Submittal of a Resolution appointing Code Enforcement to abate abandoned vehicles from public roads.</b>					
(5) SUMMARY OF REQUEST <b>The California Vehicle Code allows for the Board to appoint non-peace officers to the task of abatement of abandoned vehicles on public roads. Appointing code enforcement investigators to this task will allow for speedy removal of these hazards and eyesores.</b>					
(6) RECOMMENDED ACTION <b>Adopt the attached resolution appointing Code Enforcement Investigators to abate abandoned vehicles from public roads in the unincorporated county.</b>					
(7) FUNDING SOURCE(S) <b>Department</b>		(8) CURRENT YEAR COST <b>N/A</b>		(9) ANNUAL COST <b>N/A</b>	
(10) BUDGETED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> N/A <input type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): <b>County Counsel, California Highway Patrol</b>					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <b>All</b>			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(16) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

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(19) ADMINISTRATIVE OFFICE REVIEW	
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# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

**TO:** BOARD OF SUPERVISORS

**FROM:** ART TRINIDADE, CHIEF CODE ENFORCEMENT INVESTIGATOR

**DATE:** JULY 25, 2006

**SUBJECT:** SUBMITTAL OF A RESOLUTION APPOINTING CODE ENFORCEMENT TO ABATE ABANDONED VEHICLES FROM PUBLIC ROADS.

**RECOMMENDATION:**

Adopt the attached resolution appointing Code Enforcement Investigators to abate abandoned vehicles from public roads in the unincorporated county.

**DISCUSSION:**

We have been notified by the California Highway Patrol that they cannot meet the public demand to abate abandoned vehicles from public roads and need assistance in this task from the Code Enforcement Unit. For most of the 1990's, the two CHP districts, San Luis Obispo and Templeton, each dedicated an officer to the task of removing abandoned cars from the public right-of-way. However, for the past few years, due to budget constraints, they have not been able to dedicate staff to this task and have instead used patrol. This has put a strain on patrol officers whose main task is the safe and orderly flow of traffic on State highways and freeways. Very often it can be several days or weeks before a vehicle that has been abandoned in rural areas to be tagged and towed.

Code Enforcement staffers are in these rural areas on a daily basis, and can tag and remove abandoned vehicles through our standard contract with our towing/salvage companies. And since code enforcement investigators are well versed with the Vehicle Code regulations on towing and storing vehicles, they are the logical staff for this task. However, under the San Luis Obispo County Code, Code Enforcement Investigators may only abate vehicles from private property. Thus your Board must designate them with the authority to remove abandoned vehicles from public roads per the Authority of the California Vehicle Code Section 22669 et. Seq.

This resolution by no means prevents the Sheriff or CHP from abating vehicles. In fact, the CHP has agreed to continue to remove parked, stored or abandoned vehicles from all State Highways and Freeways in the County.

**OTHER AGENCY INVOLVEMENT**

County Counsel reviewed the resolution and staff report as to form and legal effect.  
California Highway Patrol, Templeton and San Luis Obispo Districts

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## **FINANCIAL CONSIDERATIONS**

There are no additional "hard" costs associated with this program. The "soft" costs are the extra 45 staff-minutes anticipated for each car to be abated (approximately \$50.00). However, that is partially offset by our re-negotiating the towing contract, reducing the cost from \$75.00/vehicle to \$50.00/vehicle. The soft costs will be absorbed by the Department.

## **RESULTS/IMPACT**

Should your Board approve of and sign the resolution, County Code Enforcement Investigators will be able to abate abandoned vehicles from public roads in the unincorporated County, reducing the eyesores and public nuisances in residential neighborhoods and rural areas.

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IN THE BOARD OF SUPERVISORS  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_\_ day \_\_\_\_\_, 2006

PRESENT: Supervisors

ABSENT:

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION APPOINTING CODE ENFORCEMENT INVESTIGATORS TO ABATE  
ABANDONED VEHICLES ON PUBLIC ROADS IN THE UNINCORPORATED AREAS  
OF SAN LUIS OBISPO COUNTY**

The following resolution is hereby offered and read:

WHEREAS, Cars abandoned on public roads pose a hazard to traffic; and

WHEREAS, Abandoned cars are an attractive nuisance and are a hazard to children; and

WHEREAS, Abandoned cars are a detraction to neighborhoods and often serve as invitations to the criminal element into neighborhoods; and

WHEREAS, The California Vehicle Code authorizes the County Board of Supervisors to appoint qualified staff to abate vehicles from public roads; and

WHEREAS, Investigators assigned to the Code Enforcement unit are trained in the abatement of vehicles from private and public property and public roads; and

NOW, THEREFORE, BE IT RESOLVED by the San Luis Obispo County Board of Supervisors, State of California, that Code Enforcement Investigators assigned to the San Luis Obispo County Department of Planning and Building are appointed to abate abandoned vehicles from the public roads in the unincorporated County.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_,  
and on the following roll call vote, to-wit:

AYES:  
NOES:  
ABSENT:

The foregoing resolution is hereby adopted.

\_\_\_\_\_  
Chairman of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

[SEAL]

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